

DEPARTMENT OF EDUCATION
SPECIAL EDUCATION PROGRAMS
Community Connections
Accountability Review - Focus Monitoring Report 2008-2009

Team Members: Chris Sargent and Donna Huber

Dates of On Site Visit: January 29th, 2009

Date of Report: February 23, 2009

3 month update due: May 23, 2009

Date Received:

6 month update due: August 23, 2009

Date Received:

9 month update due: November, 23, 2009

Date Received:

Closed:

Program monitoring and evaluation.

In conjunction with its general supervisory responsibility under the Individuals with Disabilities Education Act, Part B, Special Education Programs (SEP) of the Office of Educational Services and Support shall monitor agencies, institutions, and organizations responsible for carrying out special education programs in the state, including any obligations imposed on those agencies, institutions, and organizations. The department shall ensure:

(1) That the requirements of this article are carried out;

(2) That each educational program for children with disabilities administered within the state, including each program administered by any other state or local agency, but not including elementary schools and secondary schools for Native American children operated or funded by the Secretary of the Interior:

(a) Is under the general supervision of the persons responsible for educational programs for children with disabilities in the department; and

(b) Meets the educational standards of the state education agency, including the requirements of this article; and

(3) In carrying out this article with respect to homeless children, the requirements of the McKinney-Vento Homeless Assistance Act, as amended to January 1, 2007, are met. (Reference- ARSD 24:05:20:18.)

State monitoring--Quantifiable indicators and priority areas.

The department shall monitor school districts using quantifiable indicators in each of the following priority areas, and using such qualitative indicators as are needed to adequately measure performance in those areas:

(1) Provision of Free Appropriate Public Education (FAPE) in the least restrictive environment;

(2) Department exercise of general supervision, including child find, effective monitoring, the use of resolution meetings, mediation, and a system of transition services as defined in this article and article 24:14; and

(3) Disproportionate representation of racial and ethnic groups in special education and related services, to the extent the representation is the result of inappropriate identification. (Reference-ARSD 24:05:20:18:02.)

State enforcement -- Determinations.

On an annual basis, based on local district performance data, information obtained through monitoring visits, and other information available, the department shall determine whether each school district meets the requirements and purposes of Part B of the IDEA...

Based upon the information obtained through monitoring visits, and any other public information made available, Special Education Programs of the Office of Educational Services and Support determines if the agency, institution, or organization responsible for carrying out special education programs in the state:

- Meets the requirements and purposes of Part B of the Act;
- Needs assistance in implementing the requirements of Part B of the Act'
- Needs intervention in implementing the requirements of Part B of the Act; or
- Needs substantial intervention in implementing the requirements of Part B of the Act. (Reference-ARSD 24:05:20:23.04.)

Deficiency correction procedures.

The department shall require local education agencies to correct deficiencies in program operations that are identified through monitoring as soon as possible, but not later than one year from written identification of the deficiency. The department shall order agencies to take corrective actions and to submit a plan for achieving and documenting full compliance. (Reference-ARSD 24:05:20:20.)

Overview:

At the time of this review, Community Connections Inc. (CCI) was serving two students of school age. One student is receiving part time services and the other receives full time service. According to the agencies comprehensive plan, the local school district is responsible for meeting the special education documentation requirements for part time (day program) students. CCI is responsible for meeting the special education documentation requirements for full time (24 hour residential) students. The following issues are specific to each student file reviewed. It is understood that both of these individuals will age out of the program on June 30, 2009. The following corrective actions are presented as an opportunity to enhance the agency and districts familiarity with the special education process for students placed outside the school district.

1. GENERAL SUPERVISION

ARSD 24:05:30:01. General responsibility of school district. Each school district shall establish, maintain, and implement procedural safeguards which meet the requirements of this chapter.

ARSD 24:05:25:01. Evaluation, consent, eligibility, and placement procedures required. Each school district shall establish and implement procedures which meet the requirements of this chapter, including nondiscriminatory practices, parental consent, initial evaluation, evaluation procedures, eligibility procedures, placement procedures, and reevaluation.

ARSD 24:05:27:01.02. Development, review, and revision of individualized education program. In developing, reviewing, and revising each student's individualized education program, the team shall consider the strengths of the student and the concerns of the parents for enhancing the education of their student, the results of the initial or most recent evaluation of the student, the academic, developmental, and functional needs of the student.

Finding:

Student number one is a full time student at CCI. A review of the student record and interview with agency staff revealed significant errors and omissions in process and content requirements of procedural safeguard, evaluation and IEP development. This student will age out of special education services on June 30, 2009.

Corrective Action:	Timeline for	Person(s)	(SEP Use
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and procedures that will be implemented and the data/criteria that will be used to verify compliance.	Completion	Responsible	Only) Date Met
<p>Activity/Procedure:</p> <ol style="list-style-type: none"> 1. The agency must inform the student's district of residence of the requirements set forth in the current agency comprehensive plan. 2. Agency staff (developmental disabilities and special education) responsible for implementation of IEP/POP plans must receive training on special education process and content requirements. 3. Agency staff (developmental disabilities and special education) responsible for implementation of IEP/POP plans must receive training on the requirements and provision of transition service. 4. Following the training, the agency will implement the required process for reevaluation and IEP development and amend this student's record to reflect all required procedures and content. <p>Data Collection:</p> <ol style="list-style-type: none"> 1. The agency will report the date, name of the individual and information provided to the district regarding the comprehensive plan requirement in the 3 month progress report. 2. In the 3 month progress report, the agency will report the name and position title of the individuals attending training, date and location of training, and person presenting the IEP training. 3. In the 3 month progress report, the agency will report the name and position title of the individuals attending training, date and location of training, and person presenting the transition training. 4. The agency will submit to the team leader copies of the following documents: <ol style="list-style-type: none"> a. Prior notice/consent for reevaluation b. Copies of all evaluation reports used for determining continued eligibility c. Copy of the eligibility document d. Prior notice for the meeting e. Copy of the IEP d. Transition summary of performance-for students aging out of services 	<ol style="list-style-type: none"> 1. March 1, 2009 2. April 15, 2009 3. April 15, 2009 4. June 30.2009 	CCI Staff	

3 month Progress Report:

6 month Progress Report:

9 month Progress Report:

2. GENERAL SUPERVISION

ARSD 24:05:30:01. General responsibility of school district. Each school district shall establish, maintain, and implement procedural safeguards which meet the requirements of this chapter.

ARSD 24:05:25:01. Evaluation, consent, eligibility, and placement procedures required. Each school district shall establish and implement procedures which meet the requirements of this chapter, including nondiscriminatory practices, parental consent, initial evaluation, evaluation procedures, eligibility procedures, placement procedures, and reevaluation.

ARSD 24:05:27:01.02. Development, review, and revision of individualized education program. In developing, reviewing, and revising each student's individualized education program, the team shall consider the strengths of the student and the concerns of the parents for enhancing the education of their student, the results of the initial or most recent evaluation of the student, the academic, developmental, and functional needs of the student.

Finding:

Student number two is a part time or day program student. A review of the student record and interview with agency staff revealed significant errors and omissions in process and content requirements of procedural safeguard, evaluation and IEP development. This student will age out of special education services on June 30, 2009.

Corrective Action: Document the specific activities and procedures that will be implemented and the data/criteria that will be used to verify compliance.	Timeline for Completion	Person(s) Responsible	(SEP Use Only) Date Met
<p>Activity/Procedure:</p> <ol style="list-style-type: none"> 1. The agency must inform student #2's district of residence of the requirements set forth in the current agency comprehensive plan for day program students. 2. The district special education staff responsible for the implementation of Student #2's special education program must receive training on special education process and content requirements for students placed outside the school district. 3. The district special education staff responsible for the implementation of Student #2's special education program must receive training on coordinating and documenting transition service for students placed outside the school district. 4. Following the training, the school district/agency will implement the required process for reevaluation and IEP development and amend this student's record to reflect all required procedures and content. <p>Data Collection:</p> <ol style="list-style-type: none"> 1. In the 3 month progress report, the agency will report the date, name of the individual and information provided to the district regarding the comprehensive plan requirements for day program students. 2. In the 3 month progress report, the agency will report the name and position title of the individuals attending training, date and location of training, and 	<ol style="list-style-type: none"> 1. March 1, 2009 2. April 15, 2009 3. April 15, 2009 4. June 30.2009 	CCI Staff	

<p>person presenting the IEP training.</p> <p>3. In the 3 month progress report, the agency will report the name and position title of the individuals attending training, date and location of training, and person presenting the transition training.</p> <p>4. The district/agency will submit to the team leader copies of the following documents:</p> <ul style="list-style-type: none"> a. Prior notice/consent for reevaluation b. Copies of all evaluation reports used for determining continued eligibility c. Copy of the eligibility document d. Prior notice for the meeting e. Copy of the IEP d. Transition summary of performance-for students aging out of services 			
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